

FILED

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

A21-0243

A21-0546

April 29, 2022

OFFICE OF
APPELLATE COURTS

Peter S. Wattson, Joseph Mansky, Nancy B. Greenwood, Mary E. Kupper, Douglas W. Backstrom and James E. Hougas III, individually and on behalf of all citizens and voting residents of Minnesota similarly situated, and League of Women Voters Minnesota,

Plaintiffs,

and

Paul Anderson, Ida Lano, Chuck Brusven, Karen Lane, Joel Hineman, Carol Wegner, and Daniel Schonhardt,

Plaintiff-Intervenors

**AFFIDAVIT OF JAMES H. GILBERT
IN SUPPORT OF WATTSON
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, COSTS, AND
DISBURSEMENTS**

vs.

Steve Simon, Secretary of State of Minnesota; and Kendra Olson, Carver County Elections and Licensing Manager, individually and on behalf of all Minnesota county chief election officers,

Defendants,

and

Frank Sachs, Dagny Heimisdottir, Michael Arulfo, Tanwi Prigge, Jennifer Guertin, Garrison O'Keith McMurtrey, Mara Lee Glubka, Jeffrey Strand, Danielle Main, and Wayne Grimmer,

Plaintiffs,

Associate Justice of the Minnesota Supreme Court in 1997 and sworn in in 1998, where I served until August 2004, and reviewed thousands of petitions for review, participated in approximately 800 decisions, and authored numerous opinions, concurrences, and dissents. I was honored to be named the Distinguished Jurist of the Year by the Academy of Certified Trial Lawyers of Minnesota in 2004.

3. Prior to my service on the Minnesota Supreme Court, I practiced at the trial-based law firm of Meshbesh & Spence, Ltd. in Minneapolis, which consisted of 25 lawyers and five offices throughout the state with locations in Rochester, St. Cloud, Minneapolis, St. Paul and Minnetonka. I was a member of the Meshbesh firm from 1972 through 1997, becoming a partner in 1978, and served as the firm's managing partner from 1984 through 1992 and as its chief executive officer from 1996 to 1997. I was a certified civil trial attorney. I also chaired the Commission on Judicial Selection for the state of Minnesota from 1991 to 1997 and advised a Minnesota governor on over 90 judicial appointments to the district court, Minnesota Court of Appeals, and Minnesota Supreme Court.

4. Following my service as a Minnesota Supreme Court Associate Justice, I have practiced law, tried and appealed cases, and served as a qualified neutral, moderator, mediator, arbitrator, special master, settlement administrator and consultant on hundreds of cases for individuals, companies, the State of Minnesota, numerous municipalities, insurance companies, and partners and shareholders in Minnesota, South Dakota, North Dakota, and Iowa.

5. Throughout my career, I have gained extensive experience in election and

political campaigns and handled many cases involving complex business litigation, corporate governance issues, contracts, and valuation. I have also been a candidate for elected office twice (once statewide), served as a political, legal and election consultant to a Minnesota governor and a United States Senator, and assisted in deciding election-related cases as a Minnesota Supreme Court Justice.

6. I am familiar with the prevailing hourly rates charged by lawyers in Minneapolis and St. Paul through discussions with other senior partners in law firms and the fee discussions and disclosures involved in hundreds of cases I have mediated in recent years.

7. As the managing partner and president of the James H. Gilbert Law Group, I am responsible for setting the hourly rates charged by our litigation attorneys and legal assistants. I am familiar with what constitutes reasonable attorney fees in litigation matters and what work is reasonable and necessary to represent clients in such matters.

8. A true and correct copy of the billing detail prepared by the James H. Gilbert Law Group, PLLC are attached as Exhibit A to the Affidavit of Adam L. Sienkowski (“Sienkowski Affidavit”).

9. The normal hourly rates for complex litigation sought for each person from my law firm who performed work in this case, as reflected in Exhibit A to the Sienkowski Affidavit, are reasonable market hourly rates for important complex matters and are set forth as follows:

Attorney/Timekeeper	Hourly Rate
James H. Gilbert, Attorney	\$600
Adam L. Sienkowski, Attorney	\$400
Jody E. Nahlovsky, Attorney	\$400
Nancy M. Vold, Senior Legal Assistant	\$125

10. The hourly rates charged by the Wattson Plaintiffs' attorneys are consistent with reasonable and customary rates charged in the Minneapolis and St. Paul legal community.

11. The hours worked by the Wattson Plaintiffs' attorneys on this case are reasonable and necessary to provide high quality, accurate, and timely work in this complex and important litigation.

12. I have reviewed the time records of the James H. Gilbert Law Group, PLLC and hereby verify that the work performed was for the benefit of the client and was necessary for the proper representation of the clients and that in my opinion there are no charges for unnecessary or duplicative work.

Consistent with Minnesota Statute § 358.116, I declare under penalty of perjury that everything I have stated in this document is true and correct.

Date: April 29, 2022

/s/ James H. Gilbert
James H. Gilbert

Hennepin County, Minnesota
County and State where signed